

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re application of: T. Gessert

Application No.: 0:8 / 937,721 Group No.: 2812

Flied: September 25, 1997 Examiner: S. Mulpuri

For: Ion-Beam Treatment To Prepare Surfaces of P-CdTe Films

Box DAC

Assistant Commissioner for Patents

Weehington, D.C. 20231

ATTENTION: Petition Information

Crystal Park One, Suite 520 (M.P.E.P. § 1002.02(b), 7th ed.)

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

11/19/99

	1. This application became abandoned	on
		AECE II
	OERTSFIGATE OF MAILES	the date shown below, being: The date shown below, being:
	MAILING	FACEMALE ACPAINTING
ţ	deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	transmitted by faceimile to the Patent and Trademark Office.
		Signature
	Date:	
12/22/1999 SLUANG1	00000084 08937721	(type or print name of person certifying)
01 FC:241	605.00 OP	

2. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional 37 C.F.R. § 1.137(b)(3), as detailed hereafter.

FACTS IN SUPPORT OF UNINTENTIONAL DELAY

- A) On May 4, 1999, applicant's representative telephoned Examiner Mulpuri and faxed a Proposed Amendment (Exhibit I) under 37 C.F.R.§ 1.116 for consideration prior to an interview in preparation for submitting an actual amendment under 37 C.F.R. § 1.116 (see attached Exhibit I).
- B) Applicant's representative repeatedly telephoned Examiner Mulpuri, (whose telephone did not take recordation then or now) for 3 ½ months. After telephoning the group receptionist, Examiner Mulpuri ultimately telephoned me on August 17, 1999 regarding the May 4, 1999 Proposed Amendment.
- C) Examiner Mulpuri indicated that the amendment should be revised to clearly identify upfront, the three principle issues or problems solved by the invention process by virtue of
 preparing a low-resistance electrical contact between a metal and a polycrystaline t-CdTe surface
 (which is very difficult if not impossible to uniformly reproduce after typical prior art wet etching
 treatment processes). None of the references either singularly or collectively disclose this
 concept.
- D) On August 17,1999 amendment under 37 C.F.R.§1.116 with a three month extension (Exhibit II) was filed (which was more than five months after the initial rejection of March 15, 1999).
- E) Long after the six month period from the mailing date of the Final Rejection (after 9/15/99) Examiner Mulpuri mailed an ADVISORY ACTION on 10/7/99 (Exhibit III) (received by client, NREL on 10/12/99) indicating that the amendment under 37 C.F.R.§1.116 was one whose "ARGUMENTS ARE CONVINCING"; however, no disposition was checked off on the ADVISORY ACTION regarding whether the amendment under 37 C.F.R.§1.116 would be entered or not--although there was an attachment with explanations that conflicted with Examiner Mulpuri's determination that applicant's "ARGUMENTS ARE CONVINCING".

- Client, NREL, faxed me the contradictory ADVISORY ACTION and requested me to contact Examiner Mulpuri for an explanation regarding same. Still unable to contact Examiner Mulpuri due to her improperly working telephone, I went over to the Patent Office on 10/28/99 and had an interview regarding her indication that the arguments in the amendment after Final Rejection were convincing yet she did not indicate the status of the amendment in any of the 7 boxes provided on the ADVISORY ACTION form, and that the client, NREL, was concerned because someone called from the abandonment section to know whether the case was abandoned.
- G) During the interview, Examiner Mulpuri indicated that she would send a Supplemental ADVISORY ACTION correcting the previously submitted ADVISORY ACTION containing contradictory statements and properly check-off the boxes pertaining to disposition after considering the amendment, and that I could file a Continued Prosecution Application the next day (10/29/99) before such time as a NOTICE OF ABANDONMENT was sent out on the parent application.
- H) On November 18, 1999 a NOTICE OF ABANDONMENT (Exhibit IV) was mailed to client, NREL, in which Examiner Mulpuri reversed her position by indicating that she would not issue a Supplemental ADVISORY ACTION and that a Continued Prosecution Application could not be processed because no timely response to the ADVISORY ACTION of 10/7/99 (which was mailed after the 9/15/99 sixth month period after the Final Rejection notice) was made.

 However, no timely reply could be made as Examiner Mulpuri mailed the ADVISORY ACTION after the sixth month period of 9/15/99 or on 10/7/99.
- I) Mean while, consistent with the agreement reached with Examiner Mulpuri on 10/28/99, I filed a Continued Prosecution Application with a Preliminary Amendment (Exhibit V) in the PTO on 10/29/99 and hand-delivered a copy of the CPA (as promised) to Examiner Mulpuri's office.

3. Response or action required

- A has been filed.
- 🔀 is attached.

S	The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.		
4. Fee (37 (C.F.R. 1.17(m))		
Application	on status is:		
	Small business entity—fe	e \$605.00	
C	A statement is attac	hed.	
5	A statement was file	d.	
	Other than small entity—	fee \$1,210.00	
5. Payment			
_	•	ock for 图 \$605.00. □ \$1,210.00.	
_		for any additional fee required.	
	A duplicate of this petition	the sum of \$605.00. \$1,210.00.	
Dete: 12	21/99	Signature of person making statement that abandonment was due to an unintentional delay JEROME J. NORRIS (type or print name of person making statement) 1901 Pennsylvania Ave., N.W. #305 Residence of person making statement	
;		Grone J. horns	
Reg. No.:	24,696	SIGNATURE OF PRACHINGNER	
Tel. Na:. (202) 737-4410	JEROME J. NORRIS (type or print name of practitioner)	
Customer	No.:	1901 Pennsylvania Ave. N.W. #305 P.O. Address	
	•	Washington, D.C. 20006	

Practitioner's Docket No	NREL/96-48
--------------------------	------------

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re application of: T. Gessert

Application No.: 0:8 / 937,721 Group No.: 2812

Filed: September 25, 1997 Examiner: S. Mulpuri

For Ion-Beam Treatment To Prepare Surfaces of P-CdTe Films

Box DAC

Assistant Commissioner for Patents

Weshington, D.C. 20231

ATTENTION: Petition information

Crystal Park One, Suite 520 (M.P.E.P. § 1002.02(b), 7th ed.)

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

1. This application became abandoned	on <u>11/19/99</u>	
OERTIFICATE OF MASLESS I hereby certify that this correspondence is, on	Q/TRANSMISSION (37 C.F.R. § 1.5(a))	_
MAILING	FACEMILE	
deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	☐ transmitted by faceimile to the Patent and Trademark Office.	-
	Signeture	_
Dete:	(type or print name of person certifying)	

2. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional 37 C.F.R. § 1.137(b)(3), as detailed hereafter.

FACTS IN SUPPORT OF UNINTENTIONAL DELAY

- A) On May 4, 1999, applicant's representative telephoned Examiner Mulpuri and faxed a Proposed Amendment (Exhibit I) under 37 C.F.R.§ 1.116 for consideration prior to an interview in preparation for submitting an actual amendment under 37 C.F.R. § 1.116 (see attached Exhibit I).
- B) Applicant's representative repeatedly telephoned Examiner Mulpuri, (whose telephone did not take recordation then or now) for 3 ½ months. After telephoning the group receptionist, Examiner Mulpuri ultimately telephoned me on August 17, 1999 regarding the May 4, 1999 Proposed Amendment.
- C) Examiner Mulpuri indicated that the amendment should be revised to clearly identify upfront, the three principle issues or problems solved by the invention process by virtue of
 preparing a low-resistance electrical contact between a metal and a polycrystaline t-CdTe surface
 (which is very difficult if not impossible to uniformly reproduce after typical prior art wet etching
 treatment processes). None of the references either singularly or collectively disclose this
 concept.
- D) On August 17,1999 amendment under 37 C.F.R.§1.116 with a three month extension (Exhibit II) was filed (which was more than five months after the initial rejection of March 15, 1999).
- E) Long after the six month period from the mailing date of the Final Rejection (after 9/15/99) Examiner Mulpuri mailed an ADVISORY ACTION on 10/7/99 (Exhibit III) (received by client, NREL on 10/12/99) indicating that the amendment under 37 C.F.R.§1.116 was one whose "ARGUMENTS ARE CONVINCING"; however, no disposition was checked off on the ADVISORY ACTION regarding whether the amendment under 37 C.F.R.§1.116 would be entered or not--although there was an attachment with explanations that conflicted with Examiner Mulpuri's determination that applicant's "ARGUMENTS ARE CONVINCING".

- "F) Client, NREL, faxed me the contradictory ADVISORY ACTION and requested me to contact Examiner Mulpuri for an explanation regarding same. Still unable to contact Examiner Mulpuri due to her improperly working telephone, I went over to the Patent Office on 10/28/99 and had an interview regarding her indication that the arguments in the amendment after Final Rejection were convincing yet she did not indicate the status of the amendment in any of the 7 boxes provided on the ADVISORY ACTION form, and that the client, NREL, was concerned because someone called from the abandonment section to know whether the case was abandoned.
 - G) During the interview, Examiner Mulpuri indicated that she would send a Supplemental ADVISORY ACTION correcting the previously submitted ADVISORY ACTION containing contradictory statements and properly check-off the boxes pertaining to disposition after considering the amendment, and that I could file a Continued Prosecution Application the next day (10/29/99) before such time as a NOTICE OF ABANDONMENT was sent out on the parent application.
 - H) On November 18, 1999 a NOTICE OF ABANDONMENT (Exhibit IV) was mailed to client, NREL, in which Examiner Mulpuri reversed her position by indicating that she would not issue a Supplemental ADVISORY ACTION and that a Continued Prosecution Application could not be processed because no timely response to the ADVISORY ACTION of 10/7/99 (which was mailed after the 9/15/99 sixth month period after the Final Rejection notice) was made.

 However, no timely reply could be made as Examiner Mulpuri mailed the ADVISORY ACTION after the sixth month period of 9/15/99 or on 10/7/99.
 - I) Mean while, consistent with the agreement reached with Examiner Mulpuri on 10/28/99, I filed a Continued Prosecution Application with a Preliminary Amendment (Exhibit V) in the PTO on 10/29/99 and hand-delivered a copy of the CPA (as promised) to Examiner Mulpuri's office.
 - 3. Response or action required
 - M has been filed.
 - (3) is attached.

	The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.		
4. Fee (37	C.F.R. 1.17(m))		
Applicati	ion status is:		
	Small business entity	∕—fee \$605.00	
	☐ A statement is a		
	A statement was	s filed.	
	Other than small enti	t y—fee \$1,210.00	
5. Paymen			
		check for © \$605.00. □ \$1,210.00.	
_		for any additional fee required.	
		the sum of \$606.00 \$1,210.00.	
	A duplicate of this po	etition is attached.	
		0. 0	
_ \ \2	[21]99	General Lines	
Dete:	+ ''	Signatura of person marine extraores	
		that abandonment was due to an unintentional delay	
		JEROME J. NORRIS	
		(type or print name of person making statement)	
		1901 Pennsylvania Ave., N.W. #305	
		Residence of person making statement	
		Washington, DC 20006	
:	_		
		Gerome J. horas	
-	04.606	SIGNATURE OF PRACTIFICATION	
Reg. No.:	24,696		
Tel. Ne: ((202) 737-4410	JEROME J. NORRIS (type or print name of practitioner)	
Conton	Mb.	•	
Customer	140.;	1901 Pennsylvania Ave. N.W. #305	
		•	
		Washington, D.C. 20006	

EXHIBIT I

LAW OFFICES OF JEROME J. NORRIS PATENTS • TRADEMARKS • COPYRIGHTS SUITE 200

1919 Pennsylvania Avenue, N.W. WASHINGTON, D.C. 20006 U.S.A.

Jerome J. Norris*

of counsel:
Anthony D. Miller**
Sam Shipkowitz (Ph.D E.E.)
* admitted NY only
** admitted PA only



TELEPHONE 202-737-4410 FACSIMILE 202-737-3315

E-Mail: jnorrislaw@erols.com

FACSIMILE TRANSMISSION COVER SHEET

DATE: May 4, 1999

TO:

Fax No.: (703) 305-3432

Company: USPTO (Group 2800)

Name : Examiner S. Mulpuri

FROM:

Fax No.: 202-737-3315

Name: Jerome J. Norris

TOTAL NUMBER OF SHEETS INCLUDING THIS PAGE: 10

Dear Examiner Mulpuri:

I telephoned today to request that, upon receipt of this proposed amendment, a telephone interview be scheduled to discuss the merits of this application in view of the proposed amendments to the claims.

Very truly yours,

Jerome J. Nerris

Applicant: Time hy A. Gessert)

Serial No.: 08/937,721) Group Art: 1741

Filing Date: September 25, 1997)

Title: ION-BEAM TREATMENT TO)
PREPARE SURFACES OF P-CdTe FILMS)

PROPOSED AMENDMENT UNDER 37 CFR §1.116

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

In reply to the Official Action of March 15, 1999, rejecting the claims in the above-identified patent application, applicant respectfully request reconsideration, based upon the amendments hereinafter set forth.

IN THE CLAIMS

1. (Twice Amended) A dry process for making a low-resistance electrical contact between a metal and a layer of p-type CdTe

surface by ion beam processing comprising:

- a) placing a Cds/CdTe device into a chamber and evacuating said chamber to create a vacuum;
- b) orientating the p-CdTe side of the CdS/CdTe device to face apparatus capable of generating Ar atoms and ions of preferred energy and directionality;
- c) introducing Argon and igniting the area of apparatus to generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and
- d) allowing exposure of the p-CdTe side of the layer to said ion beam for a period less than about 5 minutes[.] prior to forming a contact interface or semiconductor layer.

REMARKS

The Official Action and the cited references have again been carefully reviewed. The review indicates that the claims, as amended, recite patentable subject matter and should be allowed. Reconsideration and allowance are therefore respectfully requested.

Prior to contending with the grounds upon which the rejections are based, it is useful to summarize the essentials of the invention "dry process" for providing a uniform and reproduceable surface of low-resistance electrical contact between a metal and a layer of p-type CdTe surface of a semiconductor device by an argon beam of Ar atoms prior to forming a contact interface or additional semiconductor layer.

Applicant is the first to invent a "dry process" for making a uniform and reproduceable surface of low-resistance electrical contact between a metal and a layer of p-type CdTe surface through the use of a unique form of Ar ion beam processing prior to forming a contact interface or additional semiconductor layer.

The invention process is accomplished by:

- a) placing a CdS/CdTe device into a chamber and evacuating the chamber to create a vacuum;
- b) orientating the p-CdTe side of the CdS/CdTe device to face apparatus capable of generating Ar atoms and ions of preferred energy and directionality;
- c) introducing Argon and igniting the area of apparatus to generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and

d) allowing exposure of the p-CdTe side of the layer to the ion beam for a period less than about 5 minutes prior to forming a contact interface or additional semiconductor layer.

Claims 1-2 and 4 were rejected as being unpatentable over admitted prior art in combination with Schroen et al. under 35 U.S.C. \$103(a).

Applicant respectfully traverses the rejection and requests reconsideration for the following reasons.

While the "admitted prior art" on pages 5 and 6 of applicant's specification disclose methods of making CdS/CdTe devices, these processes clearly lack teaching a "dry process" for providing a uniform and reproduceable surface of low-resistance electrical contact between a metal and a layer of ptype CdTe surface of a semiconductor, let alone suggesting, teaching or disclosing exposing the p-type CdTe to Ar ions or atoms prior to forming an additional contact interface or semiconductor layer to reduce contact resistance.

The deficiencies of these "admitted prior art" references are not compensated for by any teachings or disclosure in the secondary reference of Schroen et al.

Schroen et al. is directed to a process for fabrication of a semiconductor ohmic contact structure comprising:

a. exposing a selected portion of a semiconductor body to a glow discharge in the presence of an inert gas;

- b. exposing the selected portion to a glow discharge in oxygen or nitrogen, at conditions selected to form an adherent uniform film of nonconductor 10-100 Angstroms thick on the selected portion of the semiconductor body; and
- c. forming an adherent film of conductor on the nonconductor film, to complete a contact structure having linear I-V characterists.

The Schroen et al. patent deals with <u>crystalline Si, and not</u> a polycrystalline CdTe (which is a II-VI material).

Further, the only specific material on which the process of Schroen et al. has been demonstrated is crystalline Si. However, Si forms a stable oxide and this oxide is non-reactive with most metals.

Significantly, Schroen et al. discloses the use of a "glow discharge in the presence of an inert gas" specifically to activate the Si surface for a subsequent formation of "an adherent uniform film of non conductor".

By contrast, applicant's invention is directed to <u>use of an ion-beam process to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer.</u>

Consequently, the invention process is not conditioning the surface to faciliate formation of a non conductor - <u>but rather a semiconductor</u>.

Moreover, the ion dynamics and the plasma chemistry occuring in the surface of the clean crystalline Si, and caused by exposure to a 1-10keV glow discharge of Schroen et al., which is high-voltage, high-pressure is vastly different from the 0.05-2keV ion-beam exposure (low-voltage, low-pressure) of the CdCl₂-treated polycrystalline p-CdTe of the invention process.

The improvement in the interfacial current transport at the p-CdTe interface of the invention is by improved alignment of the valence bands between semiconductors. By contrast, the improvement in current transport of the Si/oxide/metal interface of Schroen et al. is by the creation of "a semicondutor-insulator interface with suitable electrical properties to create an accumulation in the adjacent semiconductor."

Thus, even if the "accumulation layer" would improve quantum-mechanical tunneling between a semiconductor and a metal, it nevertheless represents very different physics of interfacial current transport, and the process used to provide optimal "activation" of a Si surface is drastically different than the invention process which is used to prepare the surface of a p-CdTe film.

Therefore, the combination of Schroen et al. with "admitted prior art" cannot be reconciled under the provisions of 35 U.S.C. \$103 for purposes of rendering claims 1-2 and 4, especially as amended, obvious.

Withdrawal of the rejection is respectfully requested.

Claim 5 has been rejected as being unpatentable over "admitted prior art" in combination with Schroen et al., further in view of Lee et al. under 35 U.S.C. §103(a).

Applicant respectfully traverses the rejection and requests reconsideration for the following reasons.

The "admitted prior art" and Schroen et al. have already been discussed above.

The collective deficiencies in the "admitted prior art" and Schroen et al. are not compensated for in the teachings of the Lee et al. reference.

This is so because Lee et al. is directed to an external plasma gun that provides both ions and electrons for bombarding substrates. There is no reference to or acknowledgement of the use of this external plasma gun to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer. Therefore, the fact that an exit apeture having a diameter of 3cm is disclosed would provide no incentive for or reason why one skilled in the art would be led to utilize this external plasma gun with an apperture of 3cm in one of its specific embodiments for use as an ion-beam in combination with Schroen et al. and the "admitted prior art" to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer.

Withdrawal of the rejection is respectfully requested.

Claim 6 was rejected as being unpatentable over "admitted prior art" in combination with Schroen et al., further in view of Ebe et al., under 35 U.S.C. §103(a).

Applicant respectfully traverses the rejection and requests reconsideration for the reasons hereinafter explained.

All of the "admitted prior art" and Schroen et al. have been discussed supra.

Ebe et al. is directed to a method for manufacturing film carrier type substrates in a vacuum by depositing a metal vapor on a file made of organic high molecular substance and irradiating accelerated nitrogen gas ions on the film simultaneously with the step of depositing metal vapor.

Ebe et al.'s teachings clearly are non-related to those of the "admitted prior art" and Schroen et al. for the reason that Ebe et al. is directed to providing a carrier type substrate that includes the film of organic high molecular weight substance and a metal formed thereon to effect high density mounting of integrated circuits to obtain super-adhesive characteristics. Therefore, there would be no incentive or reason why one skilled in the art of making CdS/CdTe devices by conditioning a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer by looking to the art of obtaining super adhesion between an organic high molecular weight substance

and a metal layer formed thereover and an appropriate exposure angle of an ion beam source for making a uniform and reproduceable surface of a low-resistance electrical contact between a metal and a layer of p-type CdTe surface.

Thus, the combination of "admitted prior art" with Schroen et al. and Ebe et al. cannot be reconciled under the auspices under 35 U.S.C. §103 for rejecting claim 6 as presently recited.

In view of the foregoing amendments, remarks and arguments, it is believed that the application is now in condition for allowance, and early notification of the same is earnestly solicited.

Respectfully submitted,

Jerome J. Norris Attorney for Applicant Registration No. 24,696

LAW OFFICE OF JEROME J. NORRIS 1919 Pennsylvania Avenue, N.W. Suite 200 Washington, D.C. 20006 Telephone: (202) 737-4410

Facsimile: (202) 737-3315

EXHIBIT I

LAW OFFICES OF JEROME J. NORRIS PATENTS ● TRADEMARKS ● COPYRIGHTS **SUITE 200**

1919 Pennsylvania Avenue, N.W. WASHINGTON, D.C. 20006 U.S.A.

Jerome J. Norris*

of counsel:

TELEPHONE 202-737-4410 FACSIMILE 202-737-3315

E-Mail: jnorrislaw@erols.com

Anthony D. Miller** Sam Shipkowitz (Ph.D E.E.)

- * admitted NY only
- ** admitted PA only

FACSIMILE TRANSMISSION COVER SHEET

DATE: May 4, 1999

TO:

Fax No.: (703) 305-3432

USPTO (Group 2800) Company:

Examiner S. Mulpuri Name

FROM:

Fax No.: 202-737-3315

Jerome J. Norris Name:

TOTAL NUMBER OF SHEETS INCLUDING THIS PAGE: 10

Dear Examiner Mulpuri:

I telephoned today to request that, upon receipt of this proposed amendment, a telephone interview be scheduled to discuss the merits of this application in view of the proposed amendments to the claims.

Very truly yours,

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: NREL/96-48

Applicant:	Timothy A. Gessert)
Serial No.:	08/937,721) Group Art: 1741) Examiner: S. Mulpuri
Filing Date:	September 25, 1997)
Title:	ION-BEAM TREATMENT TO PREPARE SURFACES OF P-CdTe FILMS)))

PROPOSED AMENDMENT UNDER 37 CFR §1.116

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

In reply to the Official Action of March 15, 1999, rejecting the claims in the above-identified patent application, applicant respectfully request reconsideration, based upon the amendments hereinafter set forth.

IN THE CLAIMS

1. (Twice Amended) A dry process for making a low-resistance electrical contact between a metal and a layer of p-type CdTe

surface by ion beam processing comprising:

- a) placing a Cds/CdTe device into a chamber and evacuating said chamber to create a vacuum;
- b) orientating the p-CdTe side of the CdS/CdTe device to face apparatus capable of generating Ar atoms and ions of preferred energy and directionality;
- c) introducing Argon and igniting the area of apparatus to generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and
- d) allowing exposure of the p-CdTe side of the layer to said ion beam for a period less than about 5 minutes[.] prior to forming a contact interface or semiconductor layer.

REMARKS

The Official Action and the cited references have again been carefully reviewed. The review indicates that the claims, as amended, recite patentable subject matter and should be allowed. Reconsideration and allowance are therefore respectfully requested.

Prior to contending with the grounds upon which the rejections are based, it is useful to summarize the essentials of the invention "dry process" for providing a uniform and reproduceable surface of low-resistance electrical contact between a metal and a layer of p-type CdTe surface of a semiconductor device by an argon beam of Ar atoms prior to forming a contact interface or additional semiconductor layer.

Applicant is the first to invent a "dry process" for making a uniform and reproduceable surface of low-resistance electrical contact between a metal and a layer of p-type CdTe surface through the use of a unique form of Ar ion beam processing prior to forming a contact interface or additional semiconductor layer.

The invention process is accomplished by:

- a) placing a CdS/CdTe device into a chamber and evacuating the chamber to create a vacuum;
- b) orientating the p-CdTe side of the CdS/CdTe device to face apparatus capable of generating Ar atoms and ions of preferred energy and directionality;
- c) introducing Argon and igniting the area of apparatus to generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and

d) allowing exposure of the p-CdTe side of the layer to the ion beam for a period less than about 5 minutes prior to forming a contact interface or additional semiconductor layer.

Claims 1-2 and 4 were rejected as being unpatentable over admitted prior art in combination with Schroen et al. under 35 U.S.C. §103(a).

Applicant respectfully traverses the rejection and requests reconsideration for the following reasons.

While the "admitted prior art" on pages 5 and 6 of applicant's specification disclose methods of making CdS/CdTe devices, these processes clearly lack teaching a "dry process" for providing a uniform and reproduceable surface of low-resistance electrical contact between a metal and a layer of ptype CdTe surface of a semiconductor, let alone suggesting, teaching or disclosing exposing the p-type CdTe to Ar ions or atoms prior to forming an additional contact interface or semiconductor layer to reduce contact resistance.

The deficiencies of these "admitted prior art" references are not compensated for by any teachings or disclosure in the secondary reference of Schroen et al.

Schroen et al. is directed to a process for fabrication of a semiconductor ohmic contact structure comprising:

a. exposing a selected portion of a semiconductor body to a glow discharge in the presence of an inert gas;

- b. exposing the selected portion to a glow discharge in oxygen or nitrogen, at conditions selected to form an adherent uniform film of nonconductor 10-100 Angstroms thick on the selected portion of the semiconductor body; and
- c. forming an adherent film of conductor on the nonconductor film, to complete a contact structure having linear I-V characterists.

The Schroen et al. patent deals with <u>crystalline Si, and not</u> a polycrystalline <u>CdTe</u> (which is a II-VI material).

Further, the <u>only specific material on which the process of Schroen et al.</u> has been demonstrated is crystalline Si. However, Si forms a stable oxide and this oxide is non-reactive with most metals.

Significantly, Schroen et al. discloses the use of a "glow discharge in the presence of an inert gas" specifically to activate the Si surface for a subsequent formation of "an adherent uniform film of non conductor".

By contrast, applicant's invention is directed to <u>use of an ion-beam process to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer</u>.

Consequently, the invention process is not conditioning the surface to faciliate formation of a non conductor - <u>but rather a semiconductor</u>.

Moreover, the ion dynamics and the plasma chemistry occurring in the surface of the clean crystalline Si, and caused by exposure to a 1-10keV glow discharge of Schroen et al., which is high-pressure is vastly different from the 0.05-2keV ion-beam exposure (low-pressure) of the CdCl₂-treated polycrystalline p-CdTe of the invention process.

The improvement in the interfacial current transport at the p-CdTe interface of the invention is by improved alignment of the valence bands between semiconductors. By contrast, the improvement in current transport of the Si/oxide/metal interface of Schroen et al. is by the creation of "a semicondutor-insulator interface with suitable electrical properties to create an accumulation in the adjacent semiconductor."

Thus, even if the "accumulation layer" would improve quantum-mechanical tunneling between a semiconductor and a metal, it nevertheless represents very different physics of interfacial current transport, and the process used to provide optimal "activation" of a Si surface is drastically different than the invention process which is used to prepare the surface of a p-CdTe film.

Therefore, the combination of Schroen et al. with "admitted prior art" cannot be reconciled under the provisions of 35 U.S.C. \$103 for purposes of rendering claims 1-2 and 4, especially as amended, obvious.

Withdrawal of the rejection is respectfully requested.

Claim 5 has been rejected as being unpatentable over "admitted prior art" in combination with Schroen et al., further in view of Lee et al. under 35 U.S.C. §103(a).

Applicant respectfully traverses the rejection and requests reconsideration for the following reasons.

The "admitted prior art" and Schroen et al. have already been discussed above.

The collective deficiencies in the "admitted prior art" and Schroen et al. are not compensated for in the teachings of the Lee et al. reference.

This is so because Lee et al. is directed to an external plasma gun that provides both ions and electrons for bombarding substrates. There is no reference to or acknowledgement of the use of this external plasma gun to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer. Therefore, the fact that an exit apeture having a diameter of 3cm is disclosed would provide no incentive for or reason why one skilled in the art would be led to utilize this external plasma gun with an apperture of 3cm in one of its specific embodiments for use as an ion-beam in combination with Schroen et al. and the "admitted prior art" to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer.

Withdrawal of the rejection is respectfully requested.

Claim 6 was rejected as being unpatentable over "admitted prior art" in combination with Schroen et al., further in view of Ebe et al., under 35 U.S.C. §103(a).

Applicant respectfully traverses the rejection and requests reconsideration for the reasons hereinafter explained.

All of the "admitted prior art" and Schroen et al. have been discussed supra.

Ebe et al. is directed to a method for manufacturing film carrier type substrates in a vacuum by depositing a metal vapor on a file made of organic high molecular substance and irradiating accelerated nitrogen gas ions on the film simultaneously with the step of depositing metal vapor.

Ebe et al.'s teachings clearly are non-related to those of the "admitted prior art" and Schroen et al. for the reason that Ebe et al. is directed to providing a carrier type substrate that includes the film of organic high molecular weight substance and a metal formed thereon to effect high density mounting of integrated circuits to obtain super-adhesive characteristics. Therefore, there would be no incentive or reason why one skilled in the art of making CdS/CdTe devices by conditioning a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer by looking to the art of obtaining super adhesion between an organic high molecular weight substance

and a metal layer formed thereover and an appropriate exposure angle of an ion beam source for making a uniform and reproduceable surface of a low-resistance electrical contact between a metal and a layer of p-type CdTe surface.

Thus, the combination of "admitted prior art" with Schroen et al. and Ebe et al. cannot be reconciled under the auspices under 35 U.S.C. §103 for rejecting claim 6 as presently recited.

In view of the foregoing amendments, remarks and arguments, it is believed that the application is now in condition for allowance, and early notification of the same is earnestly solicited.

Respectfully submitted,

Jerome J. Norris Attorney for Applicant Registration No. 24,696

LAW OFFICE OF JEROME J. NORRIS 1919 Pennsylvania Avenue, N.W. Suite 200 Washington, D.C. 20006 Telephone: (202) 737-4410 Facsimile: (202) 737-3315

EXHIBIT II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ARTY.'S DOCKET: NREL/96-48

Applicant:	Timothy A. Gessert)
Serial No.:	08/937,721) Group Art: 1741) Examiner: S. Mulpuri
Filing Date:	September 25, 1997)
Title:	ION-BEAM TREATMENT TO PREPARE SURFACES OF P-CdTe FILMS)))

AMENDMENT UNDER 37 CFR §1.116

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

In reply to the Official Action of March 15, 1999, rejecting the claims in the above-identified patent application, applicant respectfully request reconsideration, based upon the amendments hereinafter set forth.

A three month extension is requested, and the fee therefore in the amount of \$870.00 is enclosed herewith.

IN THE CLAIMS

- 1. (Twice Amended) A dry process for making a low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe surface by ion beam processing comprising:
- a) placing a CdS/CdTe device having a polycrystalline
 p-type CdTe into a chamber and evacuating said chamber to create a vacuum;
- b) orientating the <u>polycrystalline</u> p-CdTe side of the CdS/CdTe device to face apparatus capable of generating Ar atoms and ions of preferred energy and directionality;
- c) introducing Argon and igniting the area of apparatus to generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and
- d) allowing exposure of the <u>polycrystalline</u> p-CdTe side of the layer to said ion beam for a period less than about 5 minutes[.] <u>prior to forming a contact interface or semiconductor</u> layer.

REMARKS

Applicant's attorney acknowledges with appreciation, the courtesy extended by Examiner Mulpuri in granting the discussions

based upon the proposed amendment and to hear applicant's representative's indication that there are basically three principle issues or problems which the invention's dry process solves.

As promised to Examiner Mulpuri, the three principle issues or problems are as follows:

- 1) it is especially difficult in the case of polycrystalline p-type CdTe surfaces to make low-resistance electrical contacts with a metal because of the <u>inability of the polycrystalline p-type</u> CdTe to sustain sufficiently high p-type carrier concentration to enable quantum-mechanical tunneling of charged carriers at the CdTe/metal contact interface (see page 4, lines 8-24);
- absorber in a CdS/CdTe photovoltaic device physically treated with Cl-containing liquids prior to formation of ohmic contact at the CdTe surface is rich in Cl and this coupled with the fact that the formation of oxide layers from atmospheric oxygen alters the chemical properties of the polycrystalline p-type CdTe surfaces of the electrical transport at the contact interface (which in turn alters the characteristics of the ohmic contact) necessitates removal of the contaminated surfaces by wet chemical treatments; and
- these wet chemical treatments <u>make it difficult to control</u> uniformity and reproducibility of the ohmic contact (see page 11,

lines 9-20).

predominately affects only the surfaces of polycrystalline CdTe, the disadvantageous grain-boundary etching of the polycrystalline CdTe shown in FIG. 7b is avoided as a result of using the dry process of the present invention (see paragraph bridging pages 11 and 12 of the specification).

is believed that these discussions have materially advanced the **pros**ecution of this application.

The Official Action and the cited references have again been carefully reviewed. The review indicates that the claims, especially as amended, recite patentable subject matter and should be allowed. Reconsideration and allowance are therefore respectfully requested.

Prior to contending with the grounds upon which the rejections are based, it is useful to summarize the essentials of the invention "dry process" for providing uniform and reproducible low-resistance electrical contacts (page 15, lines 15-19) between a metal and a layer of polycrystalline p-type CdTe surface of a semiconductor device by an argon beam of Ar atoms prior to forming a contact interface or additional semiconductor layer.

applicant is the first to invent a "dry process" for making a uniform and reproducible surface of low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe

Best Available Copy

surface through the use of a unique form of Ar ion beam processing prior to forming a contact interface or additional semiconductor layer.

The invention process is accomplished by:

- a) placing a CDs/CdTe device having a polycrystalline p-type CdTe into a chamber and evacuating the chamber to create a vacuum;
- b) orientating the polycrystalline p-CdTe side of the CDs/CdTe device to face apparatus capable of generating Ar atoms and ions of preferred energy and directionality;
- generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and
- allowing exposure of the polycrystalline p-CdTe side of the layer to the ion beam for a period less than about 5 minutes prior to forming a contact interface or additional semiconductor layer.

Claims 1-2 and 4 were rejected as being unpatentable over admitted prior art in combination with Schroen et al. under 35 U.S.C. \$103(a).

reconsideration for the following reasons.

while the "admitted prior art" on pages 5 and 6 of

applicant's specification disclose methods of making CdS/CdTe devices, these processes clearly lack teaching a "dry process" for providing a uniform and reproducible surface of low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe surface of a semiconductor, let alone suggesting, teaching or disclosing exposing a polycrystalline p-type CdTe to Ar ions or atoms prior to forming an additional contact interface or semiconductor layer to reduce contact resistance.

The deficiencies of these "admitted prior art" references are not compensated for by any teachings or disclosure in the secondary reference of Schroen et al.

Schroen et al. is directed to a process for fabrication of a semiconductor ohmic contact structure comprising:

- a. exposing a selected portion of a semiconductor body to a glow discharge in the presence of an inert gas;
- b. exposing the selected portion to a glow discharge in oxygen or nitrogen, at conditions selected to form an adherent uniform film of nonconductor 10-100 Angstroms thick on the selected portion of the semiconductor body; and
- c. forming an adherent film of conductor on the nonconductor film, to complete a contact structure having linear I-V characteristics.

The Schroen et al. patent deals with <u>crystalline Si, and not a polycrystalline CdTe</u>.

Best Available Copy

1 1 1

Schroen et al. has been demonstrated is crystalline Si. However, Si forms a stable oxide and this oxide is non-reactive with most metals.

Significantly, Schroen et al. discloses the use of a "glow discharge in the presence of an inert gas" specifically to activate the Si surface for a subsequent formation of "an adherent uniform film of non conductor".

ion-beam process to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer.

Consequently, the invention process is not conditioning the surface to facilitate formation of a non conductor - but rather a semiconductor.

Moreover, the ion dynamics and the plasma chemistry occurring in the surface of the clean crystalline Si, and caused by exposure to a 1-10keV glow discharge of Schroen et al., which is high-voltage, high-pressure is vastly different from the 0.05-2keV ion-beam exposure (low-voltage, low-pressure) of the CdCl₂-treated polycr stalline p-CdTe of the invention process.

The improvement in the interfacial current transport at the p-CdTe interface of the invention is by improved alignment of the valence bands between semiconductors. By contrast, the improvement in current transport of the Si/oxide/metal interface of Schroen et

Best Available Copy

al. is by the creation of "a semiconductor-insulator interface with suitable electrical properties to create an accumulation in the adjacent semiconductor."

Thus, even if the "accumulation layer" would improve quantum-mechanical tunneling between a semiconductor and a metal, it nevertheless represents very different physics of interfacial current transport, and the process used to provide optimal "activation" of a Si surface is drastically different than the invention process which is used to prepare the surface of a polycrostalline p-CdTe film.

Prior er the combination of Schroen et al. with "admitted prior ert" cannot be reconciled under the provisions of 35 U.S.C. \$103 for purposes of rendering claims 1-2 and 4, especially as amended, obvious.

thdrawal of the rejection is respectfully requested.

Claim 5 has been rejected as being unpatentable over "admitted prior art" in combination with Schroen et al., further in view of Lee at al. under 35 U.S.C. §103(a).

reconsideration for the following reasons.

discussed above.

Schreen et al. are not compensated for in the teachings of the Lee

et a reference.

plasma gun that provides both ions and electrons for bombarding substrates. There is no reference to or acknowledgment of the use of this external plasma gun to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer. Therefore, the fact that an exit aperture having a diameter of 3cm is disclosed would provide no incentive for or reason why one skilled in the art would be led to utilize this external plasma gun with an aperture of 3cm in one of its specific embodiments for use as an ion-beam in combination with Schroen et al. and the "admitted prior art" to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer.

thdrawal of the rejection is respectfully requested.

prior art" in combination with Schroen et al., further in view of Ebe et al., under 35 U.S.C. \$103(a).

reconsideration for the reasons hereinafter explained.

discissed supra.

carrier type substrates in a vacuum by depositing a metal vapor on a file made of organic high molecular substance and irradiating

9

accelerated nitrogen gas ions on the film simultaneously with the step of depositing metal vapor.

"admittied prior art" and Schroen et al. for the reason that Ebe et al. is directed to providing a carrier type substrate that includes the film of organic high molecular weight substance and a metal formed thereon to effect high density mounting of integrated circulars to obtain super-adhesive characteristics. Therefore, there would be no incentive or reason why one skilled in the art of making CDs/CdTe devices by conditioning a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer by looking to the art of obtaining super adhesion between an organic high molecular weight substance and a metal layer formed thereover and an appropriate exposure angle of an ion beam source for making a uniform and reproducible surface of a low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe surface.

al. and Ebe et al. cannot be reconciled under the auspices under 35 U.S.C. \$103 for rejecting claim 6 as presently recited.

is believed that the application is now in condition for allowance, and early notification of the same is earnestly solicited.

Respectfully submitted,

Kenneth L. Richardson Attorney for Applicants Registration No. 27,378

NATIONAL RENEWABLE ENERGY LABORATORY

1617 Cole Boulevard

Golden Colorado 80401-3393 Telephone: (303) 384-7576 Facsimile: (303) 384-7499

EXHIBIT II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ARTY.'S DOCKET: NREL/96-48

Applicant:	Timothy A. Gessert)
Serial No.:	08/937,721) Group Art: 1741) Examiner: S. Mulpuri
Filing Date:	September 25, 1997)
Title:	ION-BEAM TREATMENT TO PREPARE SURFACES OF P-CdTe FILMS)))



AMENDMENT UNDER 37 CFR §1.116

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

In reply to the Official Action of March 15, 1999, rejecting the claims in the above-identified patent application, applicant respectfully request reconsideration, based upon the amendments hereinafter set forth.

A three month extension is requested, and the fee therefore in the amount of \$870.00 is enclosed herewith.

IN THE CLAIMS

- 1. (Twice Amended) A dry process for making a low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe surface by ion beam processing comprising:
- a) placing a CdS/CdTe device having a polycrystalline
 p-type CdTe into a chamber and evacuating said chamber to create a vacuum;
- b) orientating the <u>polycrystalline</u> p-CdTe side of the CdS/CdTe device to face apparatus capable of generating Ar atoms and ions of preferred energy and directionality;
- c) introducing Argon and igniting the area of apparatus to generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and
- d) allowing exposure of the <u>polycrystalline</u> p-CdTe side of the layer to said ion beam for a period less than about 5 minutes[.] <u>prior to forming a contact interface or semiconductor</u> layer.

REMARKS

Applicant's attorney acknowledges with appreciation, the courtesy extended by Examiner Mulpuri in granting the discussions

based upon the proposed amendment and to hear applicant's representative's indication that there are basically three principle issues or problems which the invention's dry process solves.

As promised to Examiner Mulpuri, the three principle issues or problems are as follows:

- 1) it is especially difficult in the case of polycrystalline p-type CdTe surfaces to make low-resistance electrical contacts with a metal because of the <u>inability of the polycrystalline p-type</u> CdTe to sustain sufficiently high p-type carrier concentration to enable quantum-mechanical tunneling of charged carriers at the CdTe/metal contact interface (see page 4, lines 8-24);
- absorber in a CdS/CdTe photovoltaic device physically treated with Cl-containing liquids prior to formation of ohmic contact at the CdTe surface is rich in Cl and this coupled with the fact that the formation of oxide layers from atmospheric oxygen alters the chemical properties of the polycrystalline p-type CdTe surfaces of the electrical transport at the contact interface (which in turn alters the characteristics of the ohmic contact) necessitates removal of the contaminated surfaces by wet chemical treatments; and
- these wet chemical treatments <u>make it difficult to control</u> uniformity and reproducibility of the ohmic contact (see page 11,

lines 9-20).

predominately affects only the surfaces of polycrystalline CdTe, the disadvantageous grain-boundary etching of the polycrystalline CdTe shown in FIG. 7b is avoided as a result of using the dry process of the present invention (see paragraph bridging pages 11 and 12 of the specification).

is believed that these discussions have materially advanced the prosecution of this application.

The Official Action and the cited references have again been carefully reviewed. The review indicates that the claims, especially as amended, recite patentable subject matter and should be allowed. Reconsideration and allowance are therefore respectfully requested.

Prior to contending with the grounds upon which the rejections are based, it is useful to summarize the essentials of the invention "dry process" for providing uniform and reproducible low-resistance electrical contacts (page 15, lines 15-19) between a metal and a layer of polycrystalline p-type CdTe surface of a semiconductor device by an argon beam of Ar atoms prior to forming a contact interface or additional semiconductor layer.

uniform and reproducible surface of low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe

surface through the use of a unique form of Ar ion beam processing prior to forming a contact interface or additional semiconductor layer.

The invention process is accomplished by:

- a) placing a CDs/CdTe device having a polycrystalline p-type CdTe into a chamber and evacuating the chamber to create a vacuum;
- b) orientating the polycrystalline p-CdTe side of the CDs/CdTe device to face apparatus capable of generating Ar atoms and ions of preferred energy and directionality;
- generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and
- allowing exposure of the polycrystalline p-CdTe side of the layer to the ion beam for a period less than about 5 minutes prior to forming a contact interface or additional semiconductor layer.

Claims 1-2 and 4 were rejected as being unpatentable over admitted prior art in combination with Schroen et al. under 35 U.S.C. \$103(a).

reconsideration for the following reasons.

while the "admitted prior art" on pages 5 and 6 of

applicant's specification disclose methods of making CdS/CdTe devices, these processes clearly lack teaching a "dry process" for providing a uniform and reproducible surface of low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe surface of a semiconductor, let alone suggesting, teaching or disclosing exposing a polycrystalline p-type CdTe to Ar ions or atoms prior to forming an additional contact interface or semiconductor layer to reduce contact resistance.

The deficiencies of these "admitted prior art" references are not compensated for by any teachings or disclosure in the secondary reference of Schroen et al.

Schroen et al. is directed to a process for fabrication of a semiconductor ohmic contact structure comprising:

- a. exposing a selected portion of a semiconductor body to a glow discharge in the presence of an inert gas;
- b. exposing the selected portion to a glow discharge in oxygen or nitrogen, at conditions selected to form an adherent uniform film of nonconductor 10-100 Angstroms thick on the selected portion of the semiconductor body; and
- c. forming an adherent film of conductor on the nonconductor film, to complete a contact structure having linear I-V characteristics.

The Schroen et al. patent deals with <u>crystalline Si, and not a polycrystalline CdTe</u>.

ा भून

Schroen et al. has been demonstrated is crystalline Si. However, Si forms a stable oxide and this oxide is non-reactive with most metals.

Significantly, Schroen et al. discloses the use of a "glow discharge in the presence of an inert gas" specifically to activate the Si surface for a subsequent formation of "an adherent uniform film of non conductor".

ion-beam process to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer.

Consequently, the invention process is not conditioning the surface to facilitate formation of a non conductor - but rather a semiconductor.

Moreover, the ion dynamics and the plasma chemistry occurring in the surface of the clean crystalline Si, and caused by exposure to a 1-10keV glow discharge of Schroen et al., which is high-voltage, high-pressure is vastly different from the 0.05-2keV ion-beam exposure (low-voltage, low-pressure) of the CdCl₂-treated polyte stalline p-CdTe of the invention process.

The improvement in the interfacial current transport at the p-CdTe interface of the invention is by improved alignment of the valence bands between semiconductors. By contrast, the improvement in current transport of the Si/oxide/metal interface of Schroen et

al. is by the creation of "a semiconductor-insulator interface with suitable electrical properties to create an accumulation in the adjacent semiconductor."

Thus, even if the "accumulation layer" would improve quantum-mechanical tunneling between a semiconductor and a metal, it nevertheless represents very different physics of interfacial current transport, and the process used to provide optimal "actuation" of a Si surface is drastically different than the invention process which is used to prepare the surface of a polycrostalline p-CdTe film.

Pherefore, the combination of Schroen et al. with "admitted prior ert" cannot be reconciled under the provisions of 35 U.S.C. \$103 for purposes of rendering claims 1-2 and 4, especially as amended, obvious.

thdrawal of the rejection is respectfully requested.

Claim 5 has been rejected as being unpatentable over "admitted prior art" in combination with Schroen et al., further in view of Lee et al. under 35 U.S.C. \$103(a).

reconsideration for the following reasons.

discresed above.

Schroen et al. are not compensated for in the teachings of the Lee

et al reference.

plasma gun that provides both ions and electrons for bombarding substrates. There is no reference to or acknowledgment of the use of this external plasma gun to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer. Therefore, the fact that an exit aperture having a diameter of 3cm is diaclosed would provide no incentive for or reason why one skilled in the art would be led to utilize this external plasma gun with an aperture of 3cm in one of its specific embodiments for use as an ion-beam in combination with Schroen et al. and the "admitted prior art" to condition a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer.

thdrawal of the rejection is respectfully requested.

prior art" in combination with Schroen et al., further in view of Ebe et al., under 35 U.S.C. §103(a).

reconsideration for the reasons hereinafter explained.

all of the "admitted prior art" and Schroen et al. have been discissed supra.

carried type substrates in a vacuum by depositing a metal vapor on a file made of organic high molecular substance and irradiating

1

accelerated nitrogen gas ions on the film simultaneously with the step of depositing metal vapor.

"admitted prior art" and Schroen et al. for the reason that Ebe et al. is directed to providing a carrier type substrate that includes the film of organic high molecular weight substance and a metal formed thereon to effect high density mounting of integrated circular to obtain super-adhesive characteristics. Therefore, there would be no incentive or reason why one skilled in the art of making CDs/CdTe devices by conditioning a polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer by looking to the art of obtaining super adhesion between an organic high molecular weight substance and a metal layer formed thereover and an appropriate exposure angle of an ion beam source for making a uniform and reproducible surface of a low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe surface.

al. End Ebe et al. cannot be reconciled under the auspices under 35 U.S. C. \$103 for rejecting claim 6 as presently recited.

is believed that the application is now in condition for allowance, and early notification of the same is earnestly solicited.

Respectfully submitted,

Kenneth L. Richardson Attorney for Applicants Registration No. 27,378

NATIONAL RENEWABLE ENERGY LABORATORY

1617 Cole Boulevard

Golden, Colorado 80401-3393 Telephone: (303) 384-7576 Facsimile: (303) 384-7499

/U-	12-88 04:03FM PROMPHREE LEGAL OFFICE EXHIBI	[1]]] 30330	41435		1-520 P.03/U	D F-203
-	Advisory Action	Application No. 08/937,72	:1	Applicant(s)	Gessert	:
	Advisory Action	Examiner S. N	Aulpur		Group Art Unit 2812	
Тн	E PERIOD FOR RESPONSE: [check only a) or b)]					
	a) X expires months from the mailing date of th	e final rejection.				
	b) cxpires either three months from the mailing date of the is later. In no event, however, will the statutory period rejection.	final rejection, or for the response e	on the	mailing date	of this Advisory A months from the d	Ction, whichever ata of the final
	Any extension of time must be obtained by filing a petition under date on which the response, the petition, and the fee have been determining the period of extension and the corresponding amou calculated from the date of the originally set shortened statutory	Tiled is the date of	the re	sponse and a	Iso the date for the	
	Appellant's Brief is due two months from the date of th period for response set forth above, whichever is later).	See 37 CFR 1	eal fil .191(ed on	FR 1.192(a).	(or within any
Ap but	plicant's response to the final rejection, filed on $\frac{g}{g}$ is NOT deemed to place the application in condition for	122 AH ha	s bee	n considere	d with the follow	ving effect,
	The proposed amendment(s):					
	will be entered upon filing of a Notice of Appeal and	an Appeal Brie	ef.			
	will not be entered because:					
	they raise new issues that would require further		nø/or	search. (Se	e note below).	
	they raise the issue of new matter. (See note be					
	 they are not deemed to place the application in business for appeal. they present additional claims without cancelling 					
	NOTE:					
	Applicant's response has overcome the following re	jection(s):				
	Newly proposed or amended claims separate, timely filed amendment cancelling the non-alle	owable claims.		would be	e allowable if su	bmitted in a
<u></u>	The affidavit, exhibit or request for reconsideration has	been considere	fud D	does NOT	olace the applica	ITION IN CONDITION
	for allowance because: APGUMENTS					
ü	The affidavit or exhibit will NOT be considered because the Examiner in the final rejection.	it is not directe	d SOI	ELY to issu	ies which were	newly raised by
	For purposes of Appeal, the status of the claims is as fo	ollows (see arra	ched s	written eyn	anation if anyl-	
	Claima allaccard.					
	Claims objected to: WOWE Claims rejected: 1-2,4-6					
	The proposed drawing correction filed on					
	Note the attached Information Disclosure Statement(s).					no Engineito).

Other

SEE THE ATTACHMENT

Attachment to the advisory action

Applicant amended the claims to limit p-type CdTe surface and dry etching technique. However, admitted Prior Art discloses forming solar cells from single crystalline materials, amorphous material or polycrystalline materials(see page 3, lines 1-9, page 12-20) and wet etching and dry etching (see page 6, lines 6-14).

Applicant argues that admitted prior art does not disclose a dry "etch process" fro providing a uniform and reproducible surface of low-resistance electrical contact between metal layer and a layer polycrystalline p-type CaTe prior to additional contact interface or semiconductor layer to reduce contact resistance. However, modified invention of admitted prior art, as modified by the teachings of Schroen et al for Ar irradiation, Lee et al for aperture of 3 nm diameter and Ebe et al for angular irradiating of Ar on the target.

Admitted art teaches of forming solar cell metallization on II-VI semiconductor compound, could be p-type CdTe layer. Schroen et al et al is simply relied on Ar irradiation on surface p-type CdTe. It is agreed with applicant Schroen et al exemplifies the process with Si. However, Schroen et al clearly mention inventive concept of irradiation includes II-VI compounds.

Applicant argues that Schroen et al uses high voltage 1-10 keV which includes recite voltages.

It is agreed that Schroen et al grows silicon oxide, minimum of 10 angstroms, prior to metal formation. However, Schroen et al obtains synergistic advantage by both Ar irradiation and silicon oxide as well for reducing the contact resistance. However, Admitted prior art, as modified by Schroen et al, would completes, subsequent to irradiation of Ar, the structure forming metal on p-type CdTe.

Applicant argues that Lee et al uses external plasma gun and no reference to condition polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer. However, Lee et al is relied on the teaching of plasma apparatus with aperture diameter of 3 cm for bombarding Ar ions on substrate for effective Ar irradiation. It does not matter whether Lee et al uses glow discharge in the presence of inert gas, or forming oxide instead of metal or semiconductor layer, which are irrespective claimed language.

Applicant argues that teachings of Ebe et al is nonrelevent to the instant invention. However, the purpose of the Schroen et al and Abe et al is to reduce contaminants by using Ar irradiation. It does not matter whether the substrate is semiconductor or other, angle implantation of Ar is preferred, when taken the efficiency of sputtering into account Ebe et al further teach angle depends on the kind of inert ions and material of the substrate.

Ś. Mulpuri

Patent examiner

Technology Center 2800

Gessert

Application No. 08/937,721 Applicant(s)

Examiner

Group Art Unit

			S. Mulpuri	2812	
THE	PERIOD FOR RESPONSE: [check only a) or b)]				
a:) 💢 expires months from the mailing date of	the final reject	on.		
b	expires either three months from the mailing date of the state. In no event, however, will the statutory period rejection.	the final rejection od for the responding	on, or on the meiling date onse expire later than six	e of this Advisory A months from the d	iction, whichever late of the final
de	ny extension of time must be obtained by filing a petition unit ate on which the response, the petition, and the fee have be etermining the period of extension and the corresponding am alculated from the date of the originally set shortened statuto	en tiled is the d	ate of the response and	also the date for th	
∏ A pı	ppellant's Brief is due two months from the date of eriod for response set forth above, whichever is late	er). See 37 <u>C</u>	FR 1.191(d) and 37	· CFR 1.192(a).	(or within any
Appl	icant's response to the final rejection, filed on 98 Section of the section of th	2 122 HH	has been considere	ad with the follo	wing effect,
<u> </u>	ne proposed amendment(s):				
	will be entered upon filing of a Notice of Appeal a	and an Appea	l Brief.		
ſ	The first of chickes because.				
	They raise new issues that would require further		on and/or search. (S	iee note below).	
	they raise the issue of new matter. (See note				
	they are not deemed to place the application in issues for appeal.				
	they present additional claims without cancelling	ng a correspo	nding number of fina	lly rejected clain	is.
	NOTE:				<u> </u>
	Applicant's response has overcome the following	rejection(s):			
□ N se	lewly proposed or amended claimseparate, timely filed amendment cancelling the non-	allowable clai	would b	e allowable if su	ibmitted in a
<u> </u>	he affidavit, exhibit or request for reconsideration ha	as been consi	dered but does NOT	place the applica	STION IN CONDITION
fc	anottalioo pocadac.				Ation in Condition
_	ALMORIEN)	HATTER STATE OF THE PARTY OF TH	CONVINCIA	и	
II Ti	ne affidavit or exhibit will NOT be considered because Examiner in the final rejection.	se it is not di	rected SOLELY to iss	ues which were	newly raised by
J/F	or purposes of Appeal, the status of the claims is as	follows (see	attached written eyn	Vanation if any	
C	laims allowed: トゥルゲ				
C	laims objected to: JNONE				
C	laims objected to: WOWE laims rejected: 1-2,4-6				
□ Tr	ne proposed drawing correction filed on		☐has ☐has not bee	en approved by	the Examiner.
א כ	ote the attached Information Disclosure Statement(s	s). PTO-1449	Paper Nots).		
Z/0				·	

Attachment to the advisory action

Applicant amended the claims to limit p-type CdTe surface and dry etching technique. However, admitted Prior Art discloses forming solar cells from single crystalline materials, amorphous material or polycrystalline materials(see page 3, lines 1-9, page 12-20) and wet etching and dry etching (see page 6, lines 6-14).

Applicant argues that admitted prior art does not disclose a dry "etch process" fro providing a uniform and reproducible surface of low-resistance electrical contact between metal layer and a layer polycrystalline p-type CaTe prior to additional contact interface or semiconductor layer to reduce contact resistance. However, modified invention of admitted prior art, as modified by the teachings of Schroen et al for Ar irradiation, Lee et al for aperture of 3 nm diameter and Ebe et al for angular irradiating of Ar on the target.

Admitted art teaches of forming solar cell metallization on II-VI semiconductor compound, could be p-type CdTe layer. Schroen et al et al is simply relied on Ar irradiation on surface p-type CdTe. It is agreed with applicant Schroen et al exemplifies the process with Si. However, Schroen et al clearly mention inventive concept of irradiation includes II-VI compounds.

Applicant argues that Schroen et al uses high voltage 1-10 keV which includes recite voltages.

It is agreed that Schroen et al grows silicon oxide, minimum of 10 angstroms, prior to metal formation. However, Schroen et al obtains synergistic advantage by both Ar irradiation and silicon oxide as well for reducing the contact resistance. However, Admitted prior art, as modified by Schroen et al, would completes, subsequent to irradiation of Ar, the structure forming metal on p-type CdTe.

Applicant argues that Lee et al uses external plasma gun and no reference to condition polycrystalline p-CdTe surface prior to deposition of an additional semiconductor layer. However, Lee et al is relied on the teaching of plasma apparatus with aperture diameter of 3 cm for bombarding Ar ions on substrate for effective Ar irradiation. It does not matter whether Lee et al uses glow discharge in the presence of inert gas, or forming oxide instead of metal or semiconductor layer, which are irrespective claimed language.

Applicant argues that teachings of Ebe et al is nonrelevent to the instant invention. However, the purpose of the Schroen et al and Abe et al is to reduce contaminants by using Ar irradiation. It does not matter whether the substrate is semiconductor or other, angle implantation of Ar is preferred, when taken the efficiency of sputtering into account Ebe et al further teach angle depends on the kind of inert ions and material of the substrate.

S. Mulpuri

Patent examiner

Technology Center 2800

Notice of Abandonment

Application No. 08/937,721

Applicant(s)

Gessert

Examiner

S. Mulpuri

Group Art Unit 2812

	J. (Majpa.)	
This application is abandoned in view of:		
\square applicant's failure to timely file a proper response to t	the Office letter mailed on	·
A response (with a Certificate of Mailing or Transform , which is after the expiration month(s)) which expired on	of the period for response (includ	as received on ing a total extension of time of
A proposed response was received on		
(A proper response to a final rejection consists on condition for allowance; a Notice of Appeal; or the	ly of: a timely filed amendment wi e filing of a continuing application	nich places the application in under 37 CFR 1.62 (FWC)).
No response has been received.	<u> </u>	, <u></u>
applicant's failure to timely pay the required issue fee of the Notice of Allowance.		
_ The issue fee (with a Certificate of Mailing or Train	nsmission of) wa	s received on
☐ The submitted issue fee of \$ is insufficient	nt. The issue fee required by 37 C	CFR 1.18 is \$
The issue fee has not been received.		
applicant's failure to timely file new formal drawings		
Proposed new formal drawings (with a Certificate received on	e of Mailing or Transmission of) were
The proposed new formal drawings filed	are not acceptable.	
No proposed new formal drawings have been rec	eivea.	
The express abandonment under 37 CFR 1.62(g) in f	avor of the FWC application filed o	on
The letter of express abandonment which is signed b interest, or all of the applicants.	y the attorney or agent of record,	the assignee of the entire
the letter of express abandonment which is signed be 37 CFR 1.34(a)) upon the filing of a continuing apple		representative capacity under
The decision by the Board of Patent Appeals and Inte for seeking court review of the decision has expired		and because the period
X the reason(s) below:		
Supplemental advisory action is not effective, and C applicant did not timely respond to advisory action is	PA can not be processed beacuse 10/7/99.	5. rulpu

	Application No. 08/937,721	Applicant(s)	Gesser	
Notice of Abandonment	Examiner S. Mulpuri		Group Art Unit 2812	
This application is abandoned in view of:				
applicant's failure to timely file a proper response to the	ne Office letter mailed	on	·	
A response (with a Certificate of Mailing or Transmonth (s)) which is after the expiration	of the period for respon) wa nse (includi	is received on ing a total exte	nsion of time of
2 1 200 km roposed response was received on				í
proper response to a final rejection consists only condition for allowance; a Notice of Appeal; or the	y of: a timely filed ami filling of a continuing	epplication i	nion places the under 37 CFR 1	application in 1.62 (FWC)).
No response has been received.	· · · -	. .		
applicant's failure to timely pay the required issue fee of the Notice of Allowance.	within the statutory p	eriod of thre	ee manths from	the mailing date
_ The issue fee (with a Certificate of Mailing or Tran	smission of) wa	s received on _	· ·
☐ The submitted issue fee of \$ is insufficient	t. The issue fee requi	red by 37 C	FR 1.18 is \$	· .
The issue fee has not been received.				
applicant's failure to timely file new formal drawings a	as required in the Noti	ce of Allow	ability.	
Proposed new formal drawings (with a Certificate received on	of Mailing or Transmis	ssion of	· · · · · · · · · · · · · · · · · · ·	_) were
The proposed new formal drawings filed	sre not ac	сертавів.		
No proposed new formal drawings have been rece	eved.			
the express abandonment under 37 CFR 1.62(g) in fa	ivor of the FWC applic	ation filed o	on	·
the letter of express abandonment which is signed by interest, or all of the applicants.	the attorney or agent	of record,	the assignee of	the entire
the letter of express abandonment which is signed by 37 CFR 1.34(a)) upon the filing of a continuing applic		(acting in a	representative	capacity under
The decision by the Board of Patent Appeals and Interfor seeking court review of the decision has expired a			and b	ecause the period
X the reason(s) below:				
Supplemental advisory action is not effective, and Ch applicant did not timely respond to advisory action 10		ed beacuse). (1)	18/99
			,	

EXHIBIT V

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ARTY.'S DOCKET: NREL/96-48

Applicant:	Timothy A. Gessert)
Serial No.:	08/937,721) Group Art: 1741) Examiner: S. Mulpuri
Filing Date:	September 25, 1997)
Title:	ION-BEAM TREATMENT TO PREPARE SURFACES OF P-CdTe FILMS)))

PRELIMINARY AMENDMENT

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

In advance of prosecution, and before this application is taken up for examination on the merits, please amend the application as follows:

IN THE CLAIMS

- 1. (Twice Amended) A dry process for making a low-resistance electrical contact between a metal and a layer of polycrystalline p-type CdTe surface by ion beam processing comprising:
- a) placing a CdS/CdTe device having a polycrystalline
 p-type CdTe into a chamber and evacuating said chamber to create a vacuum;
- b) orientating the <u>polycrystalline</u> p-CdTe side of the CDs/CdTe device to face apparatus capable of generating Ar atoms

and ions of preferred energy and directionality;

- c) introducing Argon and igniting the area of apparatus to generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and
- d) allowing exposure of the polycrystalline p-CdTe side of the layer to said for neam for a period less than about 5 minutes(.) prior to forming a contact interface or semiconductor layer.

Respectfully submitted,

Cenome J Dorres

Attorney for Applicant Registration No. 24,896

LAW OFFICE OF JEROME J. MORRIS 1901 Pennsylvania Avenue, H.W. Suite 305 Washington, D.C. 20006

Telephone: (202) 737-4410 Facsimile: (202) 737-3315 LAW OFFICES OF JENOME J. N.J. ARIS 6-53 1919 PENNSYLVANIA AVE., NIV., SUBTITUDE WASHINGTON, DC. 20006

DATE 1029 49

15-52/540

100

DOLLARS (1)

Creoter Bank Weshington, DC

20E 7003 50M

PTO/S8/29 (8/98)

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable: X DUPLICATE

Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application First Named Inventor Examiner Name Group / Art Unit Express Mail Label No.	NREL / 96-48 T. Gessert S. Mulpuri 1741
---	---	--

This is a r	equest for a		divisional applic	cation under 37 C.F.R.	. § 1.53(d),]
(continued	d prosecution ap	plication (CPA)) of prio	r application number	08 / 937,72	21	Ī
filed on	09/25/97	entitled Ion-Bear	m Treatment To	Prepare Surfa	ces of P-CdTe	Films

<u>NOTES</u>

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, o continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to acces to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CP/ is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. 🗓		er the unentered amendment previously filed on	
2. 🔯	und A p	ler 37 C.F.R. § 1.116 in the prior nonprovisional a reliminary amendment is enclosed.	pplication.
3. Th a.	nis ap	oplication is filed by fewer than all the inventors na DELETE the following inventor(s) named in the p	nmed in the prior application, 37 C.F.R. § 1.53 (d)(4). prior nonprovisional application:
<u>b.</u>		The inventor(s) to be deleted are set forth on a s	eparate sheet attached hereto.

 A new power of attorney or authorization of agent (PTO/SB/81) is enclosed. 5. Information Disclosure Statement (IDS) is enclosed:

a. | PTO-1449

Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unit **CLAIMS** 2) NUMBER FILED (3) NUMBER EXTRA (1) FOR (4) RATE (5) CALCULATIONS TOTAL CLAIMS -20" = x \$ 0 (37 C.F.R. § 1.16(c) or (i)) INDEPENDENT CLAIMS -3** = (37 C.F.R.§1.16(b) or (i)) x\$ 0 MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R.'§ 1.16(d)) +\$ BASIC FEE (37 C.F.R. §1.16) \$385,00 Total of above Calculations = Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28). Reissue claims in excess of 20 and over original patent. TOTAL = \$385.00 Reissue independent claims over original patent. 6. Small entity status: a. A small entity statement is enclosed, if (b) and (c) do not apply. A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired. c. Is no longer claimed. 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. a. Fees required under 37 C.F.R. § 1.16. b. Fees required under 37 C.F.R. § 1.17. c. Fees required under 37 C.F.R. § 1.18. 8. A check in the amount of \$ 385.00 is enclosed. 9. New Attorney Docket Number, if desired [Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.] 10 a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A) b. Return Receipt Postcard (Should be specifically itemized, See MPEP 503) 11. ☐ Other: The prior application's correspondence address will carry over to this CPA NOTE: UNLESS a new correspondence address is provided below. 12. NEW CORRESPONDENCE ADDRESS Customer Number or Bar Code Label or
New correspondence address below (Insert Customer No. or Attach bar code label here) Name Address City State Zip Code Country Fax Telephone

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print /Type)	JEROME J. NORRIS -		
Signature	Jerone M. hohes		
Registration No. (Attorney/Agent)	24,696		
Date	October 29, 1999		

(Continued Prosecution Application (CPA) Request Transmittal (PTO/SB/29)) [4-2.1]-page 2 of 2)

(ReL77-10/98 Pub.605)	FORM 4-2.1	450

EXHIBIT V

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ARTY.'S DOCKET: NREL/96-48

Applicant:	Timothy A. Gessert)
Serial No.:	08/937,721) Group Art: 1741) Examiner: S. Mulpuri
Filing Date:	September 25, 1997)
Title:	ION-BEAM TREATMENT TO PREPARE SURFACES OF P-CdTe FILMS)))

PRELIMINARY AMENDMENT

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

In advance of prosecution, and before this application is taken up for examination on the merits, please amend the application as follows:

IN THE CLAIMS

- 1. (Twice Amended) A dry process for making a low-resistance electrical contact between a metal and a layer of <u>polycrystalline</u> p-type CdTe surface by ion beam processing comprising:
- a) placing a CdS/CdTe device having a polycrystalline
 p-type CdTe into a chamber and evacuating said chamber to create a vacuum;
- b) orientating the <u>polycrystalline</u> p-CdTe side of the CDs/CdTe device to face apparatus capable of generating Ar atoms

and ions of preferred energy and directionality;

- c) introducing Argon and igniting the area of apparatus to generate Ar atoms and ions of preferred energy and directionality in a manner so that during ion exposure, the source-to-substrate distance is maintained such that it is less than the mean-free path or diffusion length of the Ar atoms and ions at the vacuum pressure; and
- d) allowing exposure of the polycrystalline p-CdTe side of the layer to said for ream for a period less than about 5 minutes(.) prior to forming a contact interface or semiconductor layer.

Respectfully submitted,

Cenomial Worr's Attorney for Epplicant

Registration No. 24,896

LAW OFFICE OF JEROME J. NORRES 1901 Pennsylvania Avenue, H.W. Suite 305 Washington, D.C. 20006

Telephone: (202) 737-4410 Facsimile: (202) 737-3315

206 700 3 50 d

PTO/SB/29 (8/98)

Approved for use through 19/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable: X DUPLICATE

.53 (d)(4).

This is a reque	-4 6	X agetianetian or	
		3.00, 2.0 2020	
	Washin	gton, DC 20231	
	Box CP	'A	
	Assista	int Commissioner for F	'atents
Address to:			

Attorney Docket No. of Prior Application	NRFL / 96-48
First Named Inventor	T. Gessert
Examiner Name	S. Mulpuri
Group / Art Unit	1741
Express Mail Label No.	

This is a request for a \boxtimes continuation or \square divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number $08 / 937,721$ filed on $09/25/97$ entitled Ion-Beam Treatment To Prepare Surfaces of P-CdTe	Films
<u>NOTES</u>	
FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete	

as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

under 37 C.F.R. § 1.116 in the prior nonprovisional application. 2. X A preliminary amendment is enclosed.	
3. This application is filed by fewer than all the inventors named in the prior a. DELETE the following inventor(s) named in the prior nonprovision	application, 37 C.F.R. § 1 al application:
b. The inventor(s) to be deleted are set forth on a separate sheet at	ached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is end	losed.
5. Information Disclosure Statement (IDS) is enclosed:	
a. PTO-1449	
b Copies of IDS Citations	

1. X Enter the unentered amendment previously filed on 08/23/99

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents. Box CPA, Washington, DC 20231.

the Paperwork	Reduction Act of 1995 no pers	sons are required to resp	Appro- Patent and Tradem ond to a collection of Informati	ved for use through 09 park Office: U.S. DEPA on university displays a	V30/2000. OMB 0651-00: RTMENT OF COMMERC valid OMB control number
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATION
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	5 -20* =	0	x\$=	\$
	INDEPENDENT CLAIMS (37 C.F.R.§1.16(b) or (i))	1 -3** =	0	x \$=	
	MULTIPLE DEPENDENT	CLAIMS (if applicable	e) (37 C.F.R.'§ 1.16(d))	+ \$=	
				BASIC FEE (37 C.F.R. §1.16)	\$385.00
			Total of a	bove Calculations :	-
	Reduction by 50% for filing	g by small entity (No	te 37 C.F.R. §§ 1.9, 1.27	§ 1.28).	
	 Reissue claims in excess Reissue independent cla 			TOTAL =	\$385.00
6. Small e	entity status:				
7. The Co Deposi a	Is no longer claimed. Is missioner is hereby It Account No Fees required under 3 Fees required under 3 Fees required under 3 Theck in the amount of It Attorney Docket Num It application Attorney Docket Na It Receipt For Facsimile Return Receipt Postca	7 C.F.R. § 1.16. 7 C.F.R. § 1.17. 7 C.F.R. § 1.18. \$ 385.00 mber, if desired fumber will carryover to to the transmitted CPA	is enclosed. his CPA unless a new Attorne (PTO/SB/29A)	y Docket Number has	
NOTE:			ndence address will c address is provided b		CPA
	1	2. NEW CORRES	PONDENCE ADDRES	S	
Custome	er Number or Bar Code Label	(Insert Customer No. c	or Attach bar code label here)	or New o	orrespondence address
Name				***	
Address					
Address					
City		State		Zip Code	
Country		Telephone		Fax	
(42.00047	7105 05 4001 104	WT 47700VEV 00	4.051/Z DE0///0	-50
-	Name (Print/Type)		OME I NORRES	- ·	EU
_		I OEK	JEROME J. NORRIS -		
}	Signature	4	Frome M. hor	40	
	Signature Registration No. (Attorney/		1 1	42	-

(Continued Prosecution Application (CPA) Request Transmittal (PTO/SB/29)) [4-2.1]—page 2 of 2)

(Rel 771008 Pak 605) FORM 4.2 1			
	(Rel.77-10/98 Pub.605)	FORM 4-2.1	4–50

This Page is Inserted by IFW Indexing and Scanning Operations and is not part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

□ BLACK BORDERS
□ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
□ FADED TEXT OR DRAWING
□ BLURRED OR ILLEGIBLE TEXT OR DRAWING
□ SKEWED/SLANTED IMAGES
□ COLOR OR BLACK AND WHITE PHOTOGRAPHS
□ GRAY SCALE DOCUMENTS
□ LINES OR MARKS ON ORIGINAL DOCUMENT
□ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY

IMAGES ARE BEST AVAILABLE COPY.

□ OTHER:

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.